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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/775,867	<b>Applicant(s)</b> NAGASAWA ET AL.
	<b>Examiner</b> JOHN R. SCHNURR	<b>Art Unit</b> 2421

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 August 2008.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,3-13,16-29,38,42 and 43 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1,3-13,16-29,38,42 and 43 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is in response to the Amendment After Non-Final Rejection filed 08/12/2008. Claims 1, 3-13, 16-29, 38 and 42-43 are pending and have been examined.

#### ***Response to Arguments***

2. Applicant's arguments filed 08/12/2008 have been fully considered but they are not persuasive.

In response to applicant's argument (Remarks pg. 8 para. 3 to pg. 9 para. 2) that Mitchell (US 2002/0162120) does not disclose simultaneously displaying motion picture, still image data and text data, the examiner respectfully disagrees. Figure 2 of Mitchell clearly shows a display 220 simultaneously displaying multiple areas of supplemental content 246 and 248, see [0031]. This supplemental content includes motion picture, still image data and text data, see [0041]-[0042].

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **1, 3, 20, 21, 23, 24, 26-29, 38, 42 and 43** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Megeid (US Patent Application Publication 2004/0255042)** in view of **Dimitrova et al. (US Patent Application Publication**

**2006/0041915), herein Dimitrova, and further in view of Mitchell (US Patent Application Publication 2002/0162120).**

Consider **claim 1**, Megeid clearly teaches an interactive remote control unit configured to control a device to be controlled through bi-directional wireless communications, the unit comprising:

- a) a receiver configured to receive encoded MPEG data from the device to be controlled, the received encoded MPEG data having been separated from a broadcast signal at the device to be controlled before being decoded at the device to be controlled; (**Fig. 3: Transceiver 88 of RCU 1-1 receives MPEG data from STB (1), [0028] and [0074]. The MPEG data is separated by demultiplexer 74 in STB 1, [0039].**)
- b) a decoder configured to decode the encoded MPEG data; (**Fig. 6: Decoder 116, [0078]**)
- c) a display configured to display information contents of the decoded MPEG data; (**Fig. 6: LCD 122, [0078]**)

However, Megeid does not explicitly teach converting the separated MPEG data to a format for display on the remote control unit.

In an analogous art, Dimitrova, which discloses a system for bi-directional communication between a remote control and a device to be controlled, clearly teaches converting separated MPEG data to a format for display on the remote control unit. (**Fig. 2: Transcoder 68 converts the signal before it is sent to the handheld controller 50, [0026]**)

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Megeid by converting separated MPEG data to a format for display on the remote control unit, as taught by Dimitrova, for the benefit of reducing an HDTV signal to a form suitable for display on a remote device (see [0026] Dimitrova).

However, Megeid combined with Dimitrova does not explicitly teach the display is configured to receive and simultaneously display motion picture data, still image data and text data.

In an analogous art, Mitchell, which discloses a system for providing supplemental content from a television system to a remote control, clearly teaches the display is configured to receive and simultaneously display motion picture data, still image data and text data. (**Fig. 2 [0031], [0041]-[0042]**)

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Megeid combined with Dimitrova by configuring the display to receive and simultaneously display motion picture data, still image data and text data, as taught by Mitchell, for the benefit of providing extra information to the viewer.

Consider **claim 42**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches:

- d) an entry section configured to accept input data with respect to the information contents shown on the display; (**[0075] Megeid**)
- e) a first transmitter configured to transmit operation data for the device to be controlled according to the input data, (**Fig. 5: Transceiver 108, [0074] Megeid**) wherein the operation data is a request for more information, including the MPEG data separated from the broadcast signal, regarding the information contents of the signal displayed on the display; (**A viewer may select a title shown on display 86 to request more information, [0047]. The additional information is MPEG data separated from the broadcast signal, [0053]-[0054] Megeid.**)
- f) a controller configured to govern the receiver, the display, and the first transmitter, (**Fig. 6: Microcontroller 114, [0078] and [0083]-[0084] Megeid.**)

Consider **claim 3**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches the information contents shown in the display includes at least any one of a text data, a still image, and a motion picture. (**[0054]**)

Consider **claim 20**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches the information contents contain at least any one of no-charge service information and charged service information. (**No fees are associated with the system of Megeid.**)

Consider **claim 21**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches the display shows contents data of the information by an operator's action of any one of i) touching the unit; and ii) operating the unit. (**Fig. 5: Touch-screen display 110, [0075]**)

Consider **claim 23**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches the unit outputs sound so as to correspond to the information contents shown in the display. (**Fig. 6: Loudspeaker/headphone 124, [0054]**)

Consider **claim 24**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches the unit controls volume of the sound in response to a request entered through the entry section. (**Control buttons 234 of Fig. 2 include volume control buttons, see paragraph [0039] of Mitchell.**)

Consider **claim 26**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches the entry section includes a touch panel formed on the display section. (**Fig. 5: Touch-screen display 110, [0075]**)

Consider **claim 27**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches wherein the display shows details of the contents data in response to a request entered through the entry section. (**A viewer may select a title shown on display 86 to request more information, [0047]. The additional information is MPEG data separated from the broadcast signal, [0053]-[0054] Megeid.**)

Consider **claim 28**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches the unit changes information shown in the display without regard to the input data entered through the entry section. (**[0061] and [0065]**)

Consider **claim 29**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches the display contains a plurality of sub-windows, each of which bears different information. (**Fig. 2: Supplemental content 246 and 248 are displayed in separate windows, [0031] Mitchell.**)

Consider **claim 38**, Megeid clearly teaches a system comprising a device to be controlled and an interactive remote control unit configured to control a device to be controlled through bi-directional wireless communications,

wherein the device to be controlled includes:

a tuner for receiving a broadcast signal which includes encoded MPEG data; (**Fig. 3: The receiver of STB 1 receives an MPEG stream, [0038].**)

a separator configured to separate the encoded MPEG data from the broadcast signal; (**The MPEG data is separated by demultiplexer 74 in STB 1, [0039].**)

a transmitter configured to transmit the encoded MPEG data, before the MPEG data is decoded, to the interactive remote control unit; (**Fig. 3: Transceiver 82 transmits the MPEG object to the RCU before the signal is sent to MPEG decoder 76, [0053].** )

wherein the interactive remote control unit includes:

a receiver configured to receive the encoded MPEG data from the device to be controlled; (**Fig. 3: Transceiver 88 of RCU 1-1 receives MPEG data from STB (1), [0028] and [0074].**)

a decoder configured to decode the encoded MPEG data; (**Fig. 6: Decoder 116, [0078]**)

a display configured to display information contents of the decoded MPEG data. (**Fig. 6: LCD 122, [0078]**)

However, Megeid does not explicitly teach converting the separated MPEG data to a format for display on the remote control unit.

In an analogous art, Dimitrova, which discloses a system for bi-directional communication between a remote control and a device to be controlled, clearly teaches converting separated MPEG data to a format for display on the remote control unit. (**Fig. 2: Transcoder 68 converts the signal before it is sent to the handheld controller 50, [0026]**)

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Megeid by converting separated MPEG data to a format for display on the remote control unit, as taught by Dimitrova, for the benefit of reducing an HDTV signal to a form suitable for display on a remote device (see [0026] Dimitrova).

However, Megeid combined with Dimitrova does not explicitly teach the display is configured to simultaneously display motion picture data, still image data and text data.

In an analogous art, Mitchell, which discloses a system for providing supplemental content from a television system to a remote control, clearly teaches the display is configured to simultaneously display motion picture data, still image data and text data. (**Fig. 2 [0031], [0041]-[0042]**)

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Megeid combined with Dimitrova by configuring the display to simultaneously display motion picture data, still image data and text data, as taught by Mitchell, for the benefit of providing extra information to the viewer.

Consider **claim 43**, see claim 42.

5. Claims 4-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Megeid (US Patent Application Publication 2004/0255042) in view of Dimitrova et al. (US Patent Application Publication 2006/0041915) further in view of Mitchell (US Patent Application Publication 2002/0162120), as applied to claim 1 above, and further in view of Allen et al. (US Patent Application Publication 2002/0154888), herein Allen.

Consider **claim 4**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches clearly teaches the device to be controlled is a digital broadcasting receiver. (**Fig. 3: Receiving device 20 is a digital broadcasting receiver, [0037] Megeid.**)

However, Megeid combined with Dimitrova does not explicitly teach the broadcast signal contains program arrangement information required for creating an electronic program guide (EPG).

In an analogous art, Allen, which discloses a system for bi-directional communication between a remote control and a device to be controlled, clearly teaches the broadcast signal contains program arrangement information required for creating an electronic program guide (EPG). (**[0065]**)

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Megeid combined with Dimitrova by inserting into the broadcast signal contains program arrangement information required for creating an electronic program guide (EPG), as taught by Allen, for the benefit of interactively selecting programs (see [0006] of Allen).

Consider **claim 5**, Megeid combined with Dimitrova, Mitchell and Allen, as in claim 4, clearly teaches the request for more information is a request for more information about any one of i) a broadcasting program and ii) information distributed by a video-on-demand service - among the EPG shown in the display, (**The user may select a television program from list 511, [0072] Allen**) and wherein, in response to the request for more information, the display shows a motion picture of the content specified. (**[0054] Megeid**)

Consider **claim 6**, Megeid combined with Dimitrova, Mitchell and Allen, as in claim 4, clearly teaches the device to be controlled is a digital-broadcasting receiver, (**Fig. 3: Receiving device 20, [0037] Megeid.**) and the broadcast signal contains a still image data for an EPG. (**[0065] Allen**)

Consider **claim 7**, Megeid combined with Dimitrova, Mitchell and Allen, as in claim 4, clearly teaches the request for more information is a request for more information about a broadcasting program from the EPG, (**The user may select a television program from list 511, [0072] Allen**) and wherein, in response to the request for more information, the display shows a motion picture of the broadcasting program. (**[0054] Megeid**)

Consider **claim 8**, Megeid combined with Dimitrova, Mitchell and Allen, as in claim 4, clearly teaches the device to be controlled is a digital-broadcasting receiver, (**Fig. 3: Receiving device 20, [0037] Megeid.**) and the broadcast signal contains information on data-broadcasting program guide. (**[0068] Allen**)

Consider **claim 9**, Megeid combined with Dimitrova, Mitchell and Allen, as in claim 4, clearly teaches the request for more information is a request for more information about a data-broadcasting program from the data-broadcasting program guide, (**The user may select a television program from list 511, [0072] Allen**) and wherein, in response to the request for more information, the display shows a motion picture of the data-broadcasting program. (**[0054] Megeid**)

Consider **claim 10**, Megeid combined with Dimitrova, Mitchell and Allen, as in claim 4, clearly teaches the device to be controlled is a recording/reproducing device, (**Fig. 3: Receiving device 20, [0037] Megeid.**) and the broadcast signal contains table-of-contents information on motion pictures recorded in a recording medium employed for the recording/reproducing device. (**[0091] Allen**)

Consider **claim 11**, Megeid combined with Dimitrova, Mitchell and Allen, as in claim 4, clearly teaches the request for more information is a request for more information about an item from the table-of-contents information, (**[0091] Allen**) and wherein, in response to the request for more information, the display shows a motion picture corresponding to the item selected. (**[0054] Megeid**)

Consider **claim 12**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches clearly teaches the device to be controlled is a digital broadcasting receiver. (**Fig. 3: Receiving device 20 is a digital broadcasting receiver, [0037] Megeid.**)

However, Megeid combined with Dimitrova and Mitchell does not explicitly teach the recording/reproducing device is any one of i) a video cassette recorder; ii) a hard disk video recorder; and iii) an optical disk video recorder.

In an analogous art, Allen, which discloses a system for bi-directional communication between a remote control and a device to be controlled, clearly

teaches the recording/reproducing device is any one of i) a video cassette recorder; ii) a hard disk video recorder; and iii) an optical disk video recorder. ([0025] Allen)

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Megeid combined with Dimitrova and Mitchell by having the recording/reproducing device be any one of i) a video cassette recorder; ii) a hard disk video recorder; and iii) an optical disk video recorder, as taught by Allen, for the benefit of recording content.

Consider **claim 13**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches clearly teaches the transmitter and the receiver communicate wirelessly.

However, Megeid combined with Dimitrova and Mitchell does not explicitly teach the transmitter and the receiver communicate with the device to be controlled under communication standards of any one of Bluetooth, 802.11b, 802.11a, 802.11g, and ZigBee.

In an analogous art, Allen, which discloses a system for bi-directional communication between a remote control and a device to be controlled, clearly teaches the transmitter and the receiver communicate with the device to be controlled under communication standards of any one of Bluetooth, 802.11b, 802.11a, 802.11g, and ZigBee. ([0036] Allen)

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Megeid combined with Dimitrova and Mitchell by having the transmitter and the receiver communicate with the device to be controlled under communication standards of any one of Bluetooth, 802.11b, 802.11a, 802.11g, and ZigBee, as taught by Allen, for the benefit of utilizing a known standard communication protocol.

6. Claims **16-19, 22 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Megeid (US Patent Application Publication 2004/0255042)** in view of **Dimitrova et al. (US Patent Application Publication 2006/0041915)** further in view of **Mitchell (US Patent Application Publication 2002/0162120)**, as applied to claim 1 above, and further in view of **Lilleness et al. (US Patent Application Publication 2003/0048295)**, herein Lilleness.

Consider **claim 16**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches the interactive remote control unit as defined in claim 1.

However, Megeid combined with Dimitrova and Mitchell, as in claim 1, does not explicitly teach the display further shows ads information, with the information contents and the selected content being displayed.

In an analogous art Lilleness, which discloses a system for controlling a television system using a portable electronic device with display, clearly teaches the display further shows ads information, with the information contents and the selected content being displayed. (**The programming guide of device 10 can include advertisements as shown in Fig. 16, see paragraph [0039]. Lilleness et al**)

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Megeid combined with Dimitrova and Mitchell, as in claim 1, by displaying ad information on the display, as taught by Lilleness, for the benefit of allowing an MSO to advertise a service the customer does not subscribe to ([0039] Lilleness)

Consider **claim 17**, Megeid combined with Dimitrova, Mitchell and Lilleness, as in claim 16, clearly teaches the ads information is formed at least any one of i) text information; ii) a still image; and iii) a motion picture. (**Fig. 16 shows the advertisement described in paragraph [0039] as comprising text information. Lilleness**)

Consider **claim 18**, Megeid combined with Dimitrova, Mitchell and Lilleness, as in claim 16, clearly teaches the ads information are displayed any one of on a periodical and a continuous basis. (**The advertisements may be displayed periodically when certain shows are being or about to be broadcast, see paragraph [0039]. Lilleness.**)

Consider **claim 19**, Megeid combined with Dimitrova, Mitchell and Lilleness, as in claim 16, clearly teaches in response to a request entered through the entry section, the display stops showing the ads information. (**Advertisements can be opened in a separate “pop-up” window, see paragraph [0048] of Lilleness, which may be closed through user interaction with the entry section.**)

Consider **claim 22**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches a system for controlling a device using a portable electronic interactive unit;

Art Unit: 2421

However, Megeid combined with Dimitrova and Mitchell, as in claim 1, do not explicitly teach the information is provided as a video-on-demand service, the display shows at least any one of i) text information, ii) a still image, and iii) a motion picture in order to introduce the contents data.

In the same field of endeavor Lilleness, which discloses a system for controlling a television system using a portable electronic device with display, clearly teaches the information is provided as a video-on-demand service, the display shows at least any one of i) text information, ii) a still image, and iii) a motion picture in order to introduce the contents data. **(Display area 150 of Fig. 15 shows text information for a VOD service, see paragraph [0038] of Lilleness)**

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Megeid combined with Dimitrova and Mitchell, as in claim 1, by displaying text information when the information was a video on demand service, as taught by Lilleness, for the benefit of supplying services, such as video on demand, to those who subscribe to the service ([0038] Lilleness)

Consider **claim 25**, Megeid combined with Dimitrova and Mitchell, as in claim 1, clearly teaches a system for controlling a device using a portable electronic interactive unit;

However, Megeid combined with Dimitrova and Mitchell, as in claim 1, do not explicitly teach a timer for obtaining at least any one of i) time elapsed since the display has shown the contents data; and ii) time elapsed since a previous operation on the remote control unit, wherein the controller requests the display, at a conclusion of a predetermined period of time, so as to perform any one of following operations: i) having blanked display; and ii) switching the contents data to different contents data.

In the same field of endeavor Lilleness, which discloses a system for controlling a television system using a portable electronic device with display, clearly teaches a timer for obtaining at least any one of i) time elapsed since the display has shown the contents data; and ii) time elapsed since a previous operation on the remote control unit, wherein the controller requests the display, at a conclusion of a predetermined period of time, so as to perform any one of following operations: i) having blanked display; and ii) switching the contents data to different contents data. **(Device 10 can display an advertisement for a given period of time then change the advertisement when a specific time period has passed, see paragraph [0039] of Lilleness.)**

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Megeid combined with

Dimitrova and Mitchell, as in claim 1, by changing the displayed contents after a certain time period, as taught by Lilleness, for the benefit of associating advertising with the displayed content ([0039] Lilleness)

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN R. SCHNURR whose telephone number is (571)270-1458. The examiner can normally be reached on Monday - Friday, 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/  
Supervisory Patent Examiner, Art Unit 2421

JRS